

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1924 - SB 2286

March 12, 2016

SUMMARY OF BILL: Requires the Administrative Office of the Courts (AOC) to review all claims submitted by a guardian ad litem (GAL) for the reasonableness of the hours billed by the GAL and for the reasonableness of the fees and costs claimed by the GAL.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – \$80,300

Assumptions:

- Tennessee Code Annotated § 36-4-132 requires parties to a divorce involving minor children to bear the reasonable fees or costs of the GAL appointed to represent the interests of the child. The court may assess the fees or costs as the court deems equitable.
- The bill requires the GAL to submit a claim for fees or costs to the AOC before the court assesses such fees or costs. The bill requires the AOC to review the claim for the reasonableness of the hours billed and fees or costs claimed by the GAL.
- The most recent weighted caseload study by the Comptroller of the Treasury (<http://www.comptroller.tn.gov/Repository/RE/weighted%20caseload%202016.pdf>) shows that there were 11,997 divorce cases involving children in FY14-15.
- The AOC will need one full-time position and one part-time position to review the GAL claims for reasonableness.
- It is assumed that the part-time position will require a salary of \$20,000. The part-time position will increase recurring state expenditures by \$21,530 [$\$20,000 + (\$20,000 \times 0.0765 \text{ FICA})$].
- It is assumed that the full-time position will require a salary of \$40,000. The full-time position will increase recurring state expenditures by \$58,752.56 [$\$40,000 + (\$40,000 \times 0.2287 \text{ benefits}) + (\$40,000 \times 0.0765 \text{ FICA}) + \$6,544.56 \text{ insurance}$].
- The bill will result in a recurring increase in state expenditures estimated to be \$80,282.56 ($\$21,530 + \$58,752.56$).

HB 1924 - SB 2286

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm